



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner: Unknown

Atty. Dkt. No. 5681-69200

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

B. Noël Kivlin  
~~Registered Representative~~

7/28/04 \_\_\_\_\_  
Date Signature

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of ☒ the references listed on the attached Form PTO-1449 and/or ☐ the additional information identified below in paragraph 3.

- ☒ A copy of each reference listed on the Form PTO-1449 is enclosed.
- ☐ The references listed on the Form PTO-1449 were previously cited in application serial no. \_\_\_\_\_ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.
- ☐ The captioned application was filed after June 30, 2003; therefore, a copy of each reference is not enclosed.

1. This Information Disclosure Statement is submitted:

- a. ☐ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
- ☒ before the mailing date of a first Office Action on the merits; or
- ☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

- b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of \$180.00 is enclosed.
- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2. It is hereby certified:
- ☒ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
- ☐ reference is made to an English language translation submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) \_\_\_\_\_, and/or
- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:
6. ☒ Also enclosed is a copy of a foreign search report citing these references.
7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application

not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5681-69200.

Respectfully submitted,



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Date: 7/28/04

**Form PTO-1449** (modified 3/0/2004)

List of Patents and Publications

For Applicant's Information

Disclosure Statement

(Use several sheets if necessary)

PRIORITY DKT. NO. 5681-69200

APPLICANT: Evans, et al

FILING DATE: October 6, 2003

SERIAL NO. 10/679,869

GROUP: 2131

**U.S. PATENT DOCUMENTS**

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE APPROPRIATE
	C1	2002/0099803	7/25/02	Cheshire			
	C2	6,490,677	12/3/02	Aguilar, et al			
	C3	5,951,639	9/14/99	MacInnis			

**FOREIGN PATENT DOCUMENTS**

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATIO YES/NO
	C4	1283464	2/12/03	EP			
	C5	01/09722	2/8/01	WO			
	C6	1334510	2/6/02	CN			

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	C7	International search report application number GB0320857.6 mailed July 2, 2004
	C8	ZENWorks for Desktops Preboot Services: A Technical Overview – Novell AppNotes: 7/2/2004 Author K Burnett, <a href="http://developer.novell.com/research/appnotes/2002/february/01/apv.html">http://developer.novell.com/research/appnotes/2002/february/01/apv.html</a>

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.